



**Roll Call Number**

14-0908

**Agenda Item Number**

Extra - 3

**Date** June 9, 2014

RESOLUTION APPROVING USE OF ALTERNATIVE EXTERIOR MATERIALS AS PROPOSED BY JERRY'S HOMES FOR TWO RESIDENTIAL CONDOMINIUM BUILDINGS AT 5801 SE 24th STREET, AND INITIATING AMENDMENT TO THE RESTATED CITY-WIDE URBAN REVITALIZATION PLAN

WHEREAS, the Vineyards II at Carman Estates is a residential development at 5801 SE 24th Street with an approved PUD Conceptual Plan for six residential condominium buildings, of which four were completed prior to the adoption of the Second Restated City-wide Urban Revitalization Plan (the "Restated Plan"); and,

WHEREAS, the Restated Plan incorporates the Commercial Construction and Sustainability Design Standards (the "Design Standards") set forth in Appendix A-1 to the Restated Plan; and,

WHEREAS, Jerry's Homes, represented by Ron Grubb, officer, seeks to construct the last two buildings in the Vineyards II at Carman Estates with vinyl siding to match the four existing buildings, while qualifying for tax abatement on the new buildings; and,

WHEREAS, the Commercial Construction and Sustainability Design Standards contain the following requirements applicable to the exterior materials used on new buildings:

4. Building Materials

- a) Minimum of 75% of the surface area (exclusive of windows and doors) of facades fronting and perpendicular to a public street must be glass, brick, concrete panels, architectural concrete block (such as split-face or burnished block), architectural metal panels or stone.
- d) As an alternative to conforming with the requirements set forth above in this paragraph 4, all facades fronting and perpendicular to a public street must be constructed of materials and with a design approved by the Community Development Director as being consistent with the overall intent and purpose of these Commercial Construction and Sustainability Design Standards, and providing an equivalent level of quality and durability.

WHEREAS, the Community Development Director has declined to approve the use of vinyl siding as an acceptable building material under the Design Standards; and,

WHEREAS, the proposed two new buildings cannot feasibly meet the requirement under the Design Standards to provide a minimum of four of the ten listed sustainability measures.

NOW THEREFORE, BE IT RESOLVED, by the City Council of the City of Des Moines, Iowa, as follows:



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- 1) The City Council hereby makes the following findings regarding the proposed two new buildings in the Vineyards II at Carman Estates:
  - a) The approved PUD Conceptual Plan for the Vineyards II at Carman Estates requires that the two proposed new condominium buildings have "like siding and shingles" to match the four existing buildings.
  - b) The use of the listed exterior materials (i.e. brick, concrete panels, architectural concrete block, architectural metal panels or stone) would not match the four existing buildings and would break the planned continuity and symmetry of the planned six building condominium project and result in an overall project that is not consistent with the overall intent and purpose of the Design Standards.
  - c) Under the unique circumstances of this situation and the specific design of the two proposed new buildings in the context of the existing development in which they are located, the use of vinyl siding matching the four existing buildings is consistent with the overall intent and purpose of the Design Standards and provides an equivalent overall level of quality and durability.
  - d) The circumstances of this project demonstrate that it is reasonable to expect that a multi-phase project commenced prior to the adoption of the Restated Plan can satisfy four of the ten listed sustainability measures in the Design Standards.
2. The Community Development Department is hereby authorized and directed to prepare an amendment to the City-wide Urban Revitalization Plan to allow multi-phase projects commenced before adoption of the Restated Plan to satisfy the sustainability requirement in the Design Standards by satisfying three of the listed Sustainability Measures. Such amendment shall be presented for consideration by the City Council at the earliest opportunity.
3. Subject to the design and construction of the two proposed new buildings in the Vineyards II at Carman Estates otherwise conforming to the other applicable Design Standards, the use of vinyl siding is hereby approved as an allowable alternate material for the reasons set forth in the findings above.

MOVED by Gatto to adopt.

( Sponsored by Council Member Gatto. )



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FORM APPROVED:

Roger K Brown

Roger K. Brown, Assistant City Attorney

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COUNCIL ACTION	YEAS	NAYS	PASS	ABSENT
COWNIE		✓		
COLEMAN	✓			
GATTO	✓			
GRAY	✓			
HENSLEY	✓			
MAHAFFEY	✓			
MOORE	✓			
TOTAL	6	1		

CERTIFICATE

I, DIANE RAUH, City Clerk of said City hereby certify that at a meeting of the City Council of said City of Des Moines, held on the above date, among other proceedings the above was adopted.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal the day and year first above written.

MOTION CARRIED

APPROVED

T. M. Franklin Council Mayor

Diane Rauh

City Clerk